

REMARKS

Claims 1-5 are currently pending in the present application. Claim 1 is amended. Claim 6 is added. No new matter is presented. In view of the above amendments and the following remarks, it is submitted that claims 1-5 recite patentable subject matter. Applicants request the withdrawal of the rejection of claims 1-5.

Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by Bodley et al. (U.S. Publication No. 2002/0021899). The Examiner takes the position that Bodley teaches or suggests all the features recited in claims 1 and 2. Applicants respectfully disagree.

Bodley discloses a communication unit having a housing in which at least one transducer is placed and on which a microscope arm is suspended. The housing also has a means for fastening the communication unit to the head of a user. The microphone arm is pivotally connected to the housing by a hinge link, and at an outer area of the housing

Claim 1 is amended to recite that the wireless microphone is differentiated between other microphones within an area by illuminating a color marking which distinguishes the microphone from other microphones having different color markings. It is respectfully submitted that Bodley fails to teach or suggest this feature.

The reference “Bodley” discloses a headset communication unit, whereby it has a microphone arm as a part of the entire headset. Bodley also discloses an illuminated display 161 which provides the status of the head set. However, Bodley does not teach or suggest that the wireless microphone is differentiated between other microphones within an area by illuminating a color marking which distinguishes the microphone from other microphones having different color markings. In other words, the microphone of the claimed invention is able to differentiate from other microphones via a color marking that is illuminated. The head set of Bodley does not differential between other head sets. In particular, the function that Bodley relates to is whether the microphone is on or off. Thus, Bodley only discloses a

display for the on-off status of the head set. The claimed invention however, identifies the microphone with the illumination of the color marking so that it can be differentiated from other microphones. The present invention also provides a switching device for switching the color of the display so that the microphone can be differentiated between different microphones in a studio. As mentioned in the previous response, if you have a scenario inside of the studio with for example ten different microphones and if the sound technician is looking to all these microphones of the prior art, the sound technician – according to the prior art - is seeing ten microphones with the same color at the backside of the microphone, e.g., the red light. The claimed invention enables a sound technician to see what each microscope's function and status is based on the color markings. Thus, the claimed invention provides that the wireless microphone is differentiated between other microphones within an area by illuminating a color marking which distinguishes the microphone from other microphones having different color markings. Thus, in view of the above amendments and the distinctions provided, it is submitted that Bodley fails to teach or suggest all the features recited in claims 1 and 2. Therefore, Applicants request the withdrawal of the rejection of claims 1 and 2 under 35 U.S.C. 102(e).

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bodley in view of Bejin (U.S. Patent No. 5,406,729). Applicants respectfully traverse the rejection of claim 3.

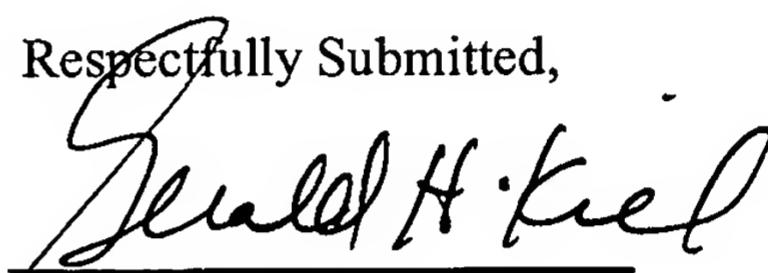
Claim 3 is dependent upon amended independent claim 1. Therefore, it is submitted that claim 3 recites patentable subject matter for at least the reasons mentioned above. Accordingly, Applicants request the withdrawal of the rejection of claim 3 under 35 U.S.C. 103(a).

Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bodley in view of Bejin and further in view of Freudenschuss et al. (U.S. Patent No. 4,239,359). Applicants respectfully traverse the rejection of claims 4 and 5.

Claims 4 and 5 are dependent upon amended independent claim 1. Therefore, it is submitted that claims 4 and 5 recite patentable subject matter for at least the reasons mentioned above. Accordingly, Applicants request the withdrawal of the rejection of claims 4 and 5 under 35 U.S.C. 103(a).

In view of the above amendments and remarks, Applicants request the favorable consideration of claims 1-6. A Notice of Allowance is requested.

Respectfully Submitted,



Gerald H. Kiel

Gerald H. Kiel
Reg. No. 25,116

REED SMITH LLP
599 Lexington Avenue
New York, NY 10022
(P) 212-521-5402
Attorney for Applicant